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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,283	12/15/2003	Angelo Arcaria	87321.1620	1766

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EXAMINER

TIEU, BINH KIEN

ART UNIT	PAPER NUMBER
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2614

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/19/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/734,283

Applicant(s)

ARCARIA ET AL.

Examiner

BINH K. TIEU

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-4, 10 and 12-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Truby (US. Pat. #: 3,304,376) in view of Liberman (US. Pat. #: 3,243,512).

Regarding claims 1, 14, 15, 17 and 19, Truby teaches an intercommunications system as shown in figure 1 comprising a plurality of intercom units, such as patient stations PS1-PS60 may be provided on an individual patient basis or may be shared by more than one patients in the same room such as rooms 100 and room 102. Common equipment 103 is provided to perform the necessary switching operations for selectively connecting nurse station NS1 with any patent

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stations PS1-PS60 (see col.4, lines 34-42 and col.5, lines 6-14). Truly further teaches each of patient stations PS1-PS60 comprises several lights such as a flashing light/lamp DL1 located at a door indicating a nurse-call initiated by press a nurse-call key NCK1; a flashing patient lamp PL1 located at the individual patient station for indicating a particular patient requests attention (see col.5, lines 43-65); an emergency light/lamp when emergency key EK1 is pressed; and a call-waiting lamp CWL1 whereby the patient may be notified that an incoming telephone call from an exchange 104 is awaiting to be answered (see col.6, lines 36-61). Truly further teaches each patient station having housing, as shown in figures 1 and 6, wherein lamps, keys, speaker, microphone, etc. can be mounted and arranged. When a patient wants to converse with a nurse, he or she may press corresponding one of the keys, e.g., key NCK1 to call a nurse. When a nurse answers the call at the nurse station, a short burst of audible tone is heard over speaker S1 at the patient station. This tone indicates to the patient that the nurse is connected to his or her station so that the patient and the nurse can begin a conversation (see col.5, line 70 through col.6, line 8).

It should be noticed that Truby teaches several lights/lamps such as flashing lights/lamp DL1, flashing patient lamp PL1, emergency lamp, call waiting lamp CWL1, etc. Truby fails to clearly teach the arrangements of those lights/lamps such as arranging them onto a row, column, or stacking them together. Such arrangements of lights/lamps are design choices and known to those skills in the art in order to make the each of stations to look nice and neat.

It should be also noticed that Truby teaches the nurse and patient conversation through the microphone M1 followed by the short burst of audible tone heard by the patient through the speaker S1. The conversation is occurred through two way channels over the microphone M1

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and speaker S1. Truby fails to clearly teach the well-known feature of activating the microphone through a switch or an activator. However, Liberman teaches intercom systems comprising master and staff units wherein each of the units comprising a condition selector switch, when actuated, a person can “talk” through the microphone (see col.4, lines 24-32 and col.5, lines 23-44) for a purpose of providing voice conversation between two intercom units.

Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made to incorporate the use of the well-known feature of the activator to activate the microphone, as taught by Liberman, into view of Truby in order to provide voice communication between two intercom units.

Regarding claim 2, Truby further teaches the call waiting lamp CWL1, nurse-call lamp, etc. operatively connected to an external equipment such as the exchange, an external telephone line, channels or nurse station, etc. to indicate an incoming call has been waiting, patient request assistance, etc. (col.5, lines 45-65; col.6, lines 53-61).

Regarding claim 3, Truby further teaches, in case of an emergency, various audible and visual emergency signals can be received by the patient station (col.6, lines 36-46).

Regarding claim 4, Truby further teaches the Amplifier 3A1 in figure 3 as the limitations of the claim.

Regarding claim 10, Truby teaches the nurse station can be called by the patient station. Furthermore, the nurse station can selectively connect to any patient station, as mentioned above. Thus, the nurse station inherently has a distinct address, e.g., an extension number or the like so that the system can detect the call as the nurse-call signals (see col.5, lines 43-65).

Regarding claim 12-13, Truby teaches the flashing light/lamp DL1 located at a door indicating a nurse-call initiated by press a nurse-call key NCK1; a flashing patient lamp PL1 located at the individual patient station for indicating a particular patient requests attention (see col.5, lines 43-65), the intercom lamp IL1 at the nurse station NS1 (col.11, lines 22-28), etc. However, Truby fails to clearly teach the different colors associated with different lights/lamps. However, they are design choices that can pull more attentions on the intercom units.

Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made to incorporate the use of the different colors associated with different lights/lamps into the patient intercom units in order to pull more attentions from said nurse(s).

Regarding claims 16 and 18, Truby further teaches limitations of the claims in col.11, lines 22-27.

Regarding claim 20, Truby further teaches limitations of the claim in col.12, lines 43-62.

4. Claims 5-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Truby (US. Pat. #: 3,304,376) in view of Liberman (US. Pat. #: 3,243,512) as applied to claim 1 above, and further in view of Cragun et al. (US. Pat. #: 5,127,045).

Regarding claim 5, Truby and Liberman, in combination, teaches all subject matter as claimed above, except for the DTMF decoder configured to convert an analog signal to a digital signal, and the microcontroller operatively connected to the decoder and configured to receive the digital signal and input a signal to the speaker. However, Cragun et al. ("Cragun") teaches such features in col.11, line 25 through col.12, line 2 for a purpose of providing voice signal to a called party.

Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made to incorporate the use of the features of the DTMF decoder configured to convert an analog signal to a digital signal, and the microcontroller operatively connected to the decoder and configured to receive the digital signal and input a signal to the speaker, as taught by Cragun, into view of Truby and Liberman in order to provide voice signals to the called party.

Regarding claims 6-7, Truby teaches the nurse station can be called by the patient station. Furthermore, the nurse station can selectively connect to any patient station, as mentioned above. Thus, the nurse station inherently has a distinct address, e.g., an extension number or the like so that the system can detect the call as the nurse-call signals, and if the nurse-call signals, a light driver initiates the flashing patient lamp PL1 located at the individual patient station to be turned on for indicating a particular patient requests attention (see col.5, lines 43-65).

Regarding claims 8-9, Cragun further teaches limitations of the claims in col.11, line 25 through col.12, line 2.

5. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Truby (US. Pat. #: 3,304,376) in view of Liberman (US. Pat. #: 3,243,512) as applied to claim 1 above, and further in view of Ford et al. (US. Pat. #: 5,664,015).

Regarding claim 11, Truby and Liberman, in combination, teaches all subject matter as claimed above, except for the housing of the intercom unit is made of a polycarbonate. However, Ford et al. ("Ford") teaches a shower speaker telephone housing which is made of a polycarbonate in order to prevent water and other chemical from entering the inside of the housing (col.7, lines 17-55) for a purpose of protecting the telephone unit.

Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made to incorporate the use of the features of for the housing of the intercom unit is made of a polycarbonate, as taught by Ford, into view of Truby and Liberman in order to protect the intercom unit from water and dust entering the unit.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh K. Tieu whose telephone number is (571) 272-7510 and E-mail address: BINH.TIEU@USPTO.GOV.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (571) 272-7499 and **IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL CUSTOMER SERVICE FOR THE SUBSTITUTIONS OR COPIES.**

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PRIMARY EXAMINER

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Date: November 2006